

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Bob Tragni, et al.,

NO. C 07-02225 JW

Plaintiffs,

**ORDER OF DISMISSAL**

v.

Freeway Electric, Inc.,

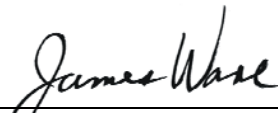
Defendant.

On October 11, 2007, Plaintiffs filed a Motion for Entry of Default. (Docket Item No. 8.)  
On October 16, 2007, the Clerk of Court entered default against Defendant. (Docket Item No. 9.)  
On October 23, 2007, the Court VACATED the Case Management Conference in light of the entry of default, anticipating that Plaintiffs would file their Motion for Default Judgment in accordance with the Federal Rules and Civil Local Rules. (Docket Item No. 10.)

To date, nearly three years later, Plaintiffs have failed to file its Motion for Default Judgment or otherwise communicate with the Court as to the status of this case. Accordingly, the Court DISMISSES this action for lack of prosecution pursuant to Fed. R. Civ. P. 41(b).

The Clerk shall close this file.

Dated: September 24, 2010

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Sue Campbell suecampbell@att.net

**Dated: September 24, 2010**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**

**Elizabeth Garcia  
Courtroom Deputy**